

contained impurities decomposable by sulphuric acid and chlorinated decomposition products. Part of it contained hydrochloric acid.

Adulteration of the article was alleged in the libels for the reason that it was sold under and by a name recognized in the United States Pharmacopœia, and differed from the standard of strength, quality, and purity as determined by the test laid down in said Pharmacopœia, official at the time of investigation.

On September 27, 1922, the claim of the owner of 42,000 tins of the product having been entered, judgment of condemnation was entered, and it was ordered by the court that the said product be released to the claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act. On December 1, 1922, no claimant having appeared for the remainder of the product, judgment of condemnation was entered, and it was ordered by the court that the product be sold by the United States marshal. On March 25, 1923, it appearing that the marshal had been unable to effect a sale of the portion condemned and ordered sold, it was ordered by the court that the product be destroyed.

C. F. MARVIN, *Acting Secretary of Agriculture.*

11424. Adulteration of butter. U. S. v. 35 Cubes of Butter. Decree entered ordering release of product under bond. (F. & D. No. 16804. I. S. Nos. 7834-v, 7838-v. S. No. W-1209.)

On or about September 8, 1922, the United States attorney for the Eastern District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 35 cubes of butter, remaining unsold in the original unbroken packages at Spokane, Wash., consigned by the Choteau Creamery, Choteau, Mont., alleging that the article had been shipped from Choteau, Mont., on or about August 10, 1922, and transported from the State of Montana into the State of Washington, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that excessive moisture had been mixed and packed therewith so as to reduce, lower, and injuriously affect the quality thereof and had been substituted in part for the said article. Adulteration was alleged for the further reason that fat, a valuable constituent of butter, had been in part abstracted from the said article.

On October 13, 1922, Swift & Co. having entered an appearance as claimant for the property, judgment of the court was entered ordering that the product be released to the said claimant upon the execution of a bond in the sum of \$250, in conformity with section 10 of the act, conditioned in part that it be reworked under the supervision of this department. On December 15, 1922, it was further ordered by the court that the case be dismissed and that the costs be taxed against the claimant, Swift & Co.

C. F. MARVIN, *Acting Secretary of Agriculture.*

11425. Adulteration and misbranding of walnut meats. U. S. v. Sam Sutton. Plea of guilty. Fine, \$50. (F. & D. No. 16927. I. S. No. 13828-t.)

On December 28, 1922, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Sam Sutton, Los Angeles, Calif., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about February 6, 1922, from the State of California into the State of Washington, of a quantity of walnut meats which were adulterated and misbranded.

Examination of the article by the Bureau of Chemistry of this department showed that it consisted of walnut meats of poor quality, containing a large percentage of inedible nuts.

Adulteration of the article was alleged in the information for the reason that it consisted in whole or in part of a filthy and decomposed vegetable substance.

Misbranding of the article was alleged for the reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On April 9, 1923, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$50.

C. F. MARVIN, *Acting Secretary of Agriculture.*